

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1978



ENROLLED

Committee Substitute for
HOUSE BILL No. 1342

(By Mr. Speaker, Mrs. Kopp)



PASSED March 11, 1978

In Effect July 1, 1978 ~~_____~~



C 641

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 1342

(By MR. SPEAKER, MR. KOPP)

[Passed March 11, 1978; in effect July 1, 1978.]

AN ACT to amend and reenact section eight, article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to further amend said article by adding thereto a new section, designated section eight-a, all relating to increasing salaries of auxiliary and service school personnel; redefining certain job classifications and adding a new aide classification; requiring annual review of classifications by county boards of education and authorizing state superintendent to withhold funds from county boards in event of improper classification; and requiring report to Legislature on certain personnel data.

Be it enacted by the Legislature of West Virginia:

That section eight, article four, chapter eighteen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that ^{re-enact} ~~such~~ article be further amended by adding thereto a new section, designated section eight-a, all to read as follows:

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

§18A-4-8. Employment term and class titles of service and auxiliary personnel; definitions.

1 The purpose of this section is to establish an employment

2 term and class titles for auxiliary and service personnel. The
3 employment term for auxiliary and service personnel shall be
4 no less than ten months, a month being defined as twenty
5 employment days: *Provided*, That the county board of educa-
6 tion may contract with all or part of such personnel for a
7 longer term. The beginning and closing dates of the ten-
8 month term shall not exceed forty-three weeks. Auxiliary
9 and service personnel employed on a yearly or twelve-month
10 basis may be employed by calendar months. Whenever there
11 is a change in job assignment during the school year, the
12 minimum pay scale and any county supplement shall be
13 applicable.

14 Auxiliary and service personnel employed in the same
15 classification for more than the two hundred day minimum
16 employment term shall be paid for such additional employment
17 at a daily rate of no less than the daily rate paid for the
18 two hundred day minimum employment term.

19 Upon the change in classification or upon meeting the
20 requirements of an advanced classification of or by any em-
21 ployee, his salary shall be made to comply with the require-
22 ments of this article, and to any county salary schedule in
23 excess of the minimum requirements of this article,
24 based upon his advanced classification and allowable years of
25 employment.

26 An employee's contract as provided in sections four and
27 five, article two of this chapter shall state the appropriate
28 monthly salary the employee is to be paid based on the
29 class title as provided in this article and any county salary
30 schedule in excess of the minimum requirements of this article.

31 The column heads of the state minimum pay scale and class
32 titles, set forth in section eight-a of this article, are defined
33 as follows:

34 "Pay grade" means the monthly salary applicable to class
35 titles of auxiliary and service personnel.

36 "Years of employment" means the number of years which
37 an employee classified as auxiliary or service personnel has
38 been employed by a board of education in any position prior

39 to or subsequent to the effective date of this section and
40 including service in the armed forces of the United States
41 if the employee were employed at the time of his induction.
42 For the purpose of section eight-a of this article, years of
43 employment shall be limited to the number of years shown and
44 allowed under the state minimum pay scale as set forth in
45 section eight-a of this article.

46 "Class title" means the name of the position or job held
47 by auxiliary and service personnel.

48 "Accountant I" means personnel employed to maintain
49 payroll records and reports and perform one or more opera-
50 tions relating to a phase of the total payroll.

51 "Accountant II" means personnel employed to maintain
52 accounting records and to be responsible for the accounting
53 process associated with billing, budgets, purchasing and re-
54 lated operations.

55 "Accountant III" means personnel who are employed in
56 the county board of education office to manage and supervise
57 accounts payable and/or payroll procedures.

58 "Aide I" means auxiliary personnel as defined in section
59 one, article one of this chapter.

60 "Aide II" means auxiliary personnel as defined in section
61 one, article one of this chapter, who have completed a train-
62 ing program approved by the state board of education, or who
63 hold a high school diploma or who have received a general
64 educational development certificate.

65 "Aide III" means auxiliary personnel who hold a high
66 school diploma or a general educational development certifi-
67 cate, and who have completed six semester hours of college
68 credit at a higher educational institution.

69 "Audiovisual technician" means personnel employed to per-
70 form minor maintenance on audiovisual equipment, films,
71 supplies and the filling of requests for equipment.

72 "Bus operator" means personnel employed to operate school
73 buses and other school transportation vehicles as provided by
74 the state board of education.

75 "Buyer" means personnel employed to review and write
76 specifications, negotiate purchase bids and recommend pur-
77 chase agreements for materials and services that meet prede-
78 termined specifications at the lowest available costs.

79 "Cabinet maker" means personnel employed to construct
80 cabinets, tables, bookcases and other furniture.

81 "Cafeteria manager" means personnel employed to direct
82 the operation of a food services program in a school, includ-
83 ing assigning duties to employees, approving requisitions
84 for supplies and repairs, keeping inventories, inspecting areas
85 to maintain high standards of sanitation, preparing finan-
86 cial reports and keeping records pertinent to food services
87 of a school.

88 "Carpenter I" means personnel classified as a carpenter's
89 helper.

90 "Carpenter II" means personnel classified as a journeyman
91 carpenter.

92 "Chief mechanic" means personnel employed to be re-
93 sponsible for directing activities which ensure that student
94 transportation or other board-owned vehicles are properly
95 and safely maintained.

96 "Clerk I" means personnel employed to perform clerical
97 tasks.

98 "Clerk II" means personnel employed to perform general
99 clerical tasks, prepare reports and tabulations and operate
100 office machines.

101 "Computer operator" means qualified personnel employed
102 to operate computers.

103 "Cook I" means personnel employed as a cook's helper.

104 "Cook II" means personnel employed to interpret menus,
105 to prepare and serve meals in a food service program of a
106 school and shall include personnel who have been employed as
107 a "Cook I" for a period of four years, if such personnel have
108 not been elevated to this classification within that period
109 of time.

110 "Cook III" means personnel employed to prepare and
111 serve meals, make reports, prepare requisitions for supplies,
112 order equipment and repairs for a food service program of a
113 school system.

114 "Crew leader" means personnel employed to organize the
115 work for a crew of maintenance employees to carry out as-
116 signed projects.

117 "Custodian I" means personnel employed to keep buildings
118 clean and free of refuse.

119 "Custodian II" means personnel employed as a watchman
120 or groundsman.

121 "Custodian III" means personnel employed to keep build-
122 ings clean and free of refuse, to operate the heating or cooling
123 systems and to make minor repairs.

124 "Custodian IV" means personnel employed as head cus-
125 todians. In addition to providing services as defined in "Cus-
126 todian III," their duties may include supervising other custod-
127 ian personnel.

128 "Director or coordinator of services" means personnel not
129 defined as professional personnel or professional educators
130 in section one, article one of this chapter, who are assigned
131 to direct a department or division.

132 "Draftsman" means personnel employed to plan, design
133 and produce detailed architectural/engineering drawings.

134 "Electrician I" means personnel employed as an appren-
135 tice electrician helper or who holds an electrician helper license
136 issued by the state fire marshal.

137 "Electrician II" means personnel employed as an electri-
138 cian journeyman or who holds a journeyman electrician license
139 issued by the state fire marshal.

140 "Electronic technician I" means personnel employed at the
141 apprentice level to repair and maintain electronic equip-
142 ment.

143 "Electronic technician II" means personnel employed at

144 the journeyman level to repair and maintain electronic
145 equipment.

146 "Executive secretary" means personnel employed as the
147 county school superintendent's secretary or as a secretary
148 who is assigned to a position characterized by significant ad-
149 ministrative duties.

150 "Food services supervisor" means qualified personnel not
151 defined as professional personnel or professional educators
152 as in section one, article one of this chapter, employed
153 to manage and supervise a county school system's food
154 service program. The duties would include preparing in-
155 service training programs for cooks and food service em-
156 ployees, instructing personnel in the areas of quantity cook-
157 ing with economy and efficiency, and keeping aggregate records
158 and reports.

159 "Foreman" means skilled persons employed for super-
160 vision of personnel who work in the areas of repair and
161 maintenance of school property and equipment.

162 "General maintenance" means personnel employed as
163 helpers to skilled maintenance employees and to perform
164 minor repairs to equipment and buildings of a county school
165 system.

166 "Glazier" means personnel employed to replace glass or
167 other materials in windows and doors and to do minor carpen-
168 try tasks.

169 "Graphic artist" means personnel employed to prepare
170 graphic illustrations.

171 "Groundsmen" means personnel employed to perform duties
172 that relate to the appearance, repair and general care of
173 school grounds in a county school system. Additional assign-
174 ments may include the operation of a small heating plant
175 and routine cleaning duties in buildings.

176 "Handyman" means personnel employed to perform routine
177 manual tasks in any operation of the county school system.

178 "Heating and air conditioning mechanic I" means per-
179 sonnel employed at the apprentice level to install, repair

180 and maintain heating and air conditioning plants and related
181 electrical equipment.

182 "Heating and air conditioning mechanic II" means per-
183 sonnel employed at the journeyman level to install, repair
184 and maintain heating and air conditioning plants and related
185 electrical equipment.

186 "Heavy equipment operator" means personnel employed to
187 operate heavy equipment.

188 "Inventory supervisor" means personnel who are employed
189 to supervise or maintain operations in the receipt, storage,
190 inventory and issuance of materials and supplies.

191 "Key punch operator" means qualified personnel employed
192 to operate key punch machines or verifying machines.

193 "Locksmith" means personnel employed to repair and main-
194 tain locks and safes.

195 "Lubrication man" means personnel employed to lubricate
196 and service gasoline or diesel-powered equipment of a county
197 school system.

198 "Machinist" means personnel employed to perform ma-
199 chinist tasks which include the ability to operate a lathe,
200 planer, shaper, threading machine and wheel press. Such
201 personnel should also have ability to work from blueprints
202 and drawings.

203 "Maintenance clerk" means personnel employed to main-
204 tain and control a stocking facility to keep adequate tools
205 and supplies on hand for daily withdrawal for all school
206 maintenance crafts.

207 "Mason" means personnel employed to perform tasks con-
208 nected with brick and block laying and carpentry tasks related
209 to such laying.

210 "Mechanic" means personnel employed who can inde-
211 pendently perform skilled duties in the maintenance and
212 repair of automobiles, school buses and other mechanical and
213 mobile equipment to use in a county school system.

214 "Mechanic assistant" means personnel employed as a me-
215 chanic apprentice and helper.

216 "Office equipment repairman I" means personnel employed
217 as an office equipment repairman apprentice or helper.

218 "Office equipment repairman II" means personnel respon-
219 sible for servicing and repairing all office machines and
220 equipment. Such personnel shall be responsible for parts be-
221 ing purchased necessary for the proper operation of a program
222 of continuous maintenance and repair.

223 "Painter" means personnel employed to perform duties of
224 painting, finishing and decorating of wood, metal and con-
225 crete surfaces of buildings, other structures, equipment, ma-
226 chinery and furnishings of a county school system.

227 "Plumber I" means personnel employed as an apprentice
228 plumber and helper.

229 "Plumber II" means personnel employed as a journeyman
230 plumber.

231 "Printing operator" means personnel employed to operate
232 duplication equipment, and as required, to cut, collate, staple,
233 bind and shelve materials.

234 "Printing supervisor" means personnel employed to super-
235 vise the operation of a print shop.

236 "Programmer" means personnel employed to design and
237 prepare programs for computer operation.

238 "Roofing/sheet metal mechanic" means personnel employed
239 to install, repair, fabricate and maintain roofs, gutters, flash-
240 ing and duct work for heating and ventilation.

241 "School bus supervisor" means qualified personnel
242 employed to assist in selecting school bus operators and rout-
243 ing and scheduling of school buses, operate a bus when needed,
244 relay instructions to bus operators, plan emergency routing
245 of buses and promoting good relationships with parents,
246 pupils, bus operators and other employees.

247 "Secretary I" means personnel employed to transcribe from

248 notes or mechanic equipment, receive callers, perform clerical
249 tasks, prepare reports and operate office machines.

250 "Secretary II" means personnel employed as school, office
251 or program secretaries to perform general clerical tasks,
252 transcribe, prepare reports, receive callers and refer them
253 to proper persons, operate office machines, keep records and
254 handle routine correspondence.

255 "Secretary III" means personnel assigned to the county
256 board of education office administrators in charge of var-
257 ious instructional, maintenance, transportation, food services,
258 operations and health departments, federal programs or
259 departments with particular responsibilities of purchasing and
260 financial control.

261 "Supervisor of maintenance" means skilled personnel not
262 defined as professional personnel or professional educators
263 as in section one, article one of this chapter. His
264 responsibilities would include directing the upkeep of
265 buildings and shops, issuing instructions to subordinates
266 relating to cleaning, repairs and maintenance of all
267 structures, mechanical and electrical equipment of a board
268 of education.

269 "Supervisor of transportation" means qualified personnel
270 employed to direct school transportation activities, properly
271 and safely, and to supervise the maintenance and repair of
272 vehicles, buses, and other mechanical and mobile equipment
273 used by the county school system.

274 "Switchboard operator-receptionist" means personnel em-
275 ployed to refer incoming calls, to assume contact with the pub-
276 lic, to direct and to give instructions as necessary, to operate
277 switchboard equipment and to provide clerical assistance.

278 "Truck driver" means personnel employed to operate light
279 or heavy duty gasoline and diesel-powered vehicles.

280 "Warehouse clerk" means personnel employed to be re-
281 sponsible for receiving, storing, packing and shipping goods.

282 "Watchman" means personnel employed to protect school

283 property against damage or theft. Additional assignments may
284 include operation of a small heating plant and routine clean-
285 ing duties.

286 "Welder" means personnel employed to provide acetylene
287 or electric welding services for a school system.

288 In addition to the compensation provided for in section
289 eight-a of this article, for auxiliary and service personnel, each
290 auxiliary and service employee shall, notwithstanding any
291 provisions in this code to the contrary, be entitled to all aux-
292 iliary and service personnel employee rights, privileges and
293 benefits provided under this or any other chapter of this code
294 without regard to such employee's hours of employment or
295 the methods or sources of compensation.

296 Auxiliary and service personnel whose years of employment
297 exceed the number of years shown and provided for under the
298 state minimum pay scale set forth in section eight-a of this
299 article, shall not be paid less than the amount shown for the
300 maximum years of employment shown and provided for in
301 the classification in which he is employed.

302 The county board of education may establish salary sched-
303 ules which shall be in excess of the state minimum fixed by
304 this article, such county schedules to be uniform throughout
305 the county with regard to any training classification, exper-
306 ience, years of employment, responsibility, duties, pupil parti-
307 cipation, pupil enrollment, size of buildings, operation of equip-
308 ment or other requirements. Uniformity shall apply to any
309 additional salary increments or compensation for all persons
310 performing like assignments and duties within the county.
311 In establishing such local salary schedules no county, from the
312 effective date of this article, shall reduce local funds allocated
313 for auxiliary and service personnel salaries used for supple-
314 menting federal and state funds provided for such salaries.

315 The county boards shall review each auxiliary and service
316 personnel employee job classification annually and shall re-
317 classify all auxiliary and service employees as required by such
318 job classifications. The state superintendent of schools is here-
319 by authorized to withhold state funds appropriated pursuant

320 to this article for salaries for auxiliary and service personnel
321 who are improperly classified by such county boards.

322 The state board of education is hereby authorized to estab-
323 lish other class titles of auxiliary and service personnel posi-
324 tions and jobs not listed in this section. The state board of
325 education is further authorized to provide appropriate pay
326 grades for such positions and jobs but pay shall be established
327 within the minimum salary scale in section eight-a of this
328 article.

329 No auxiliary or service employee, without his written con-
330 sent, shall be reclassified by class title or relegated to any
331 condition of employment which would result in a reduction
332 of his salary earned during the current fiscal year or which
333 would result in a reduction of his salary for which he would
334 qualify by continuing in the same job position and classifica-
335 tion held during said fiscal year.

336 Any board failing to comply with the provisions of this
337 article may be compelled to do so by mandamus, and shall be
338 liable to any party prevailing against the board for court
339 costs and his reasonable attorney fee, as determined and
340 established by the court.

341 The provisions of this section shall become effective the
342 first day of July, one thousand nine hundred seventy-eight.

343 The state superintendent of schools shall compile, from
344 information submitted by the county board^{of} of education, a
345 report containing the number of personnel, pay classifications
346 and years of experience of custodians and other auxiliary and
347 service personnel who are required to work an interrupted
348 daily work schedule, and the ratio of cooks to school lunches
349 served and shall report to the Legislature on the first day of the
350 regular session thereof in the year one thousand nine hundred
351 seventy-nine his findings, conclusions and recommendations
352 with respect to such matters.

*✓ or
322*

§18A-4-8a. Auxiliary and service personnel minimum monthly salaries.

STATE MINIMUM PAY SCALE

YEARS OF EMPLOY- MENT	PAY GRADE							
	A	B	C	D	E	F	G	H
0	510	530	570	620	670	730	760	830
1	520	540	580	630	680	740	770	840
2	530	550	590	640	690	750	780	850
3	540	560	600	650	700	760	790	860
4	550	570	610	660	710	770	800	870
5	560	580	620	670	720	780	810	880
6	570	590	630	680	730	790	820	890
7	580	600	640	690	740	800	830	900
8	590	610	650	700	750	810	840	910
9	600	620	660	710	760	820	850	920
10	610	630	670	720	770	830	860	930
11	620	640	680	730	780	840	870	940
12	630	650	690	740	790	850	880	950
13	640	660	700	750	800	860	890	960

CLASS TITLE	PAY GRADE
Accountant I	D
Accountant II	E
Accountant III	F
Aide I	A
Aide II	B
Aide III	C
Audiovisual Technician	C
Bus Operator	D
Buyer	F
Cabinet Maker	G
Cafeteria Manager	D
Carpenter I	E
Carpenter II	F
Chief Mechanic	G
Clerk I	B
Clerk II	C

CLASS TITLE	PAY GRADE
Computer Operator	E
Cook I	A
Cook II	B
Cook III	C
Crew Leader	F
Custodian I	A
Custodian II	B
Custodian III	C
Custodian IV	D
Director or Coordinator of Services	H
Draftsman	D
Electrician I	F
Electrician II	G
Electronic Technician I	F
Electronic Technician II	G
Executive Secretary	E F <i>OK 2nd</i>
Food Services Supervisor	G
Foreman	G
General Maintenance	C
Glazier	D
Graphic Artist	D
Groundsman	B
Handyman	B
Heating and Air Conditioning Mechanic I	E
Heating and Air Conditioning Mechanic II	G
Heavy Equipment Operator	E
Inventory Supervisor	D
Key Punch Operator	B
Locksmith	G
Lubrication Man	C
Machinist	F
Maintenance Clerk	C
Mason	G
Mechanic	F
Mechanic Assistant	E
Office Equipment Repairman I	F
Office Equipment Repairman II	G
Painter	E
Plumber I	E

CLASS TITLE	PAY GRADE
Plumber II	G
Printing Operator	B
Printing Supervisor	D
Programmer	H
Roofing/Sheet Metal Mechanic	F
School Bus Supervisor	E
Secretary I	D
Secretary II	E
Secretary III	F
Supervisor of Maintenance	H
Supervisor of Transportation	H
Switchboard Operator-Receptionist	D
Truck Driver	D
Warehouse Clerk	C
Watchman	B
Welder	F

1 On and after the first day of July, one thousand nine hun-
2 dred seventy-eight, the minimum monthly pay for each auxil-
3 iary and service employee whose employment is for a period
4 of more than three and one-half hours a day shall be at least
5 the amounts indicated in the "state minimum pay scale" as
6 set forth in this section, and the minimum monthly pay for
7 each auxiliary and service employee whose employment is
8 for a period of three and one-half hours or less a day shall be
9 at least one half the amount indicated in the "state minimum
10 pay scale" set forth in this section.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Clarence C. Cheston Jr.
Chairman House Committee

Originated in the House.

Takes effect July 1, 1978.

J. C. Dillon, Jr.
Clerk of the Senate

V. A. Blankenship
Clerk of the House of Delegates

W. T. Brotherton Jr.
President of the Senate

Donald L. Topp
Speaker House of Delegates

The within is approved this the 30
day of March, 1978.

John D. Rhymer
Governor

RECEIVED

MAR 23 4 06 PM '78

OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date Mar. 30, 1978

Time 4:40 p.m.

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OFFICE
SECRETARY OF STATE